

3/25/70

Paul and Gary only - to go no further:

Dad spent some time at the law library today, the 20th since we filed our suit having been yesterday, the purpose being to see if we can now go into court and ask for a summary judgement. I am sorry I can make no further explanation, for I am unaware of the basis on which he thinks it may be possible. However, I suspect Rolepp/Kleindienst and Co. learning that the panel also destroyed some of its records has not been at all comforting to them and may have made them look again at the spurious argument/position Kleindienst took, esp. since I have the written proof of the existence of the very copy of the papers I seek in his possession whereas he denies it.

Also not for loose talk is the enclosed, inadequate but I think clear enough electrostatic copy of two prints on CH399. You are aware of my correspondence on this with Rhoads. The one on the left is one I had a local photo shop make from the negative made for me and labelled as a dupe of the one made for Nichols. The print on the right is the one I've had in my possession since 1967. Even imperfections appear identically in both, as where I have arrows. Notice also the shadows made by the marks on the scale, the relationship of the scale to the bullet, etc. Shadows are not clear because of the poor copy, but I think it is clear that they also are identical. The photographer confirms that the only difference is in the cropping. This may or may not be deliberate. All I did was take the print and the negative to the photographer and tell him to enlarge the negative until the images were close to the same size.

As of now, I can only conjecture why and how they mislabelled the picture (one or three) they took for me as one taken the next year for Nichols. John has been silent on this as on other things, but it must be apparent to him that he made or asked to have made a duplicate of what I showed him in confidence on his word he'd not touch any of this, and that I know it. They claim to be able to find no picture they took for me. If I had a print of the one they took for John I'd be in a better position to judge.

Because I'm almost out of paper, I made two, neither coming out good. I sent one to Bernatei. If Gary wants, will you please send this one to him, Paul?

In any event, I think this is rather pertinent when they claim they cannot do certain things for the security of the evidence they must preserve!

Sincerely,

HW